



**US Army Corps  
of Engineers.**  
Philadelphia District  
Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3390  
ATTN: CENAP-OP-R

# Public Notice

Public Notice No.  
CENAP-OP-R-200600815-60

Date  
OCT 24 2006

Application No.

File No.

In Reply Refer to:  
REGULATORY BRANCH

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: James J. Tayoun, Jr.

AGENT: Robert J. Catalano and Associates  
Gordons Alley  
1020 Atlantic Avenue # 202  
Atlantic City, NJ 08401-7460

WATERWAY: Chelsea Harbor

LOCATION: The project site would be located within Chelsea Harbor, a created lagoon, off the Inside Thorofare, situated channelward of 103 North Harrisburg Avenue, Block 286 Lot 32, Atlantic City, Atlantic County, New Jersey.

ACTIVITY: The applicant proposes to remove one (1) 6' X 40' floating dock and one (1) 1' X 18' breakwater, construct a 4' X 12' ramp leading to an approximately 6' X 32' X 27' "L" shaped floating dock, and to install approximately 60 linear feet of replacement vinyl bulkhead 24" waterward of the existing bulkhead. The existing and proposed structures would extend a maximum of 44' channelward of the existing bulkhead. Water depths within the mooring area range from 2 to 5 feet at mean low water. It is noted that the proposed project site does not contain shellfish nor submerged aquatic vegetation resources according to the New Jersey Department of Environmental Protection (NJDEP) maps. Furthermore, it is noted that the NJDEP issued a State permit (0102-05-0012.1) on April 19, 2006 authorizing the proposed work activities. The proposed work is shown on the attached plans E-1 through E-8.

PURPOSE: The stated purpose of the project is to replace a deteriorated bulkhead and to provide adequate mooring depths at mean low water for private pleasure crafts.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within 30 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware", dated March 1999, specifically page 42, indicates that the proposed project may have an adverse effect on the EFH of winter flounder (*Pseudopleuronectes americanus*). This office has determined that the adverse effect on EFH would be minimal. No mitigative measures or seasonal restrictions are recommended due to the small foot-print of the proposed piles. As the evaluation of this application continues, additional information may become available from the NMFS, which could modify this preliminary determination.


In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

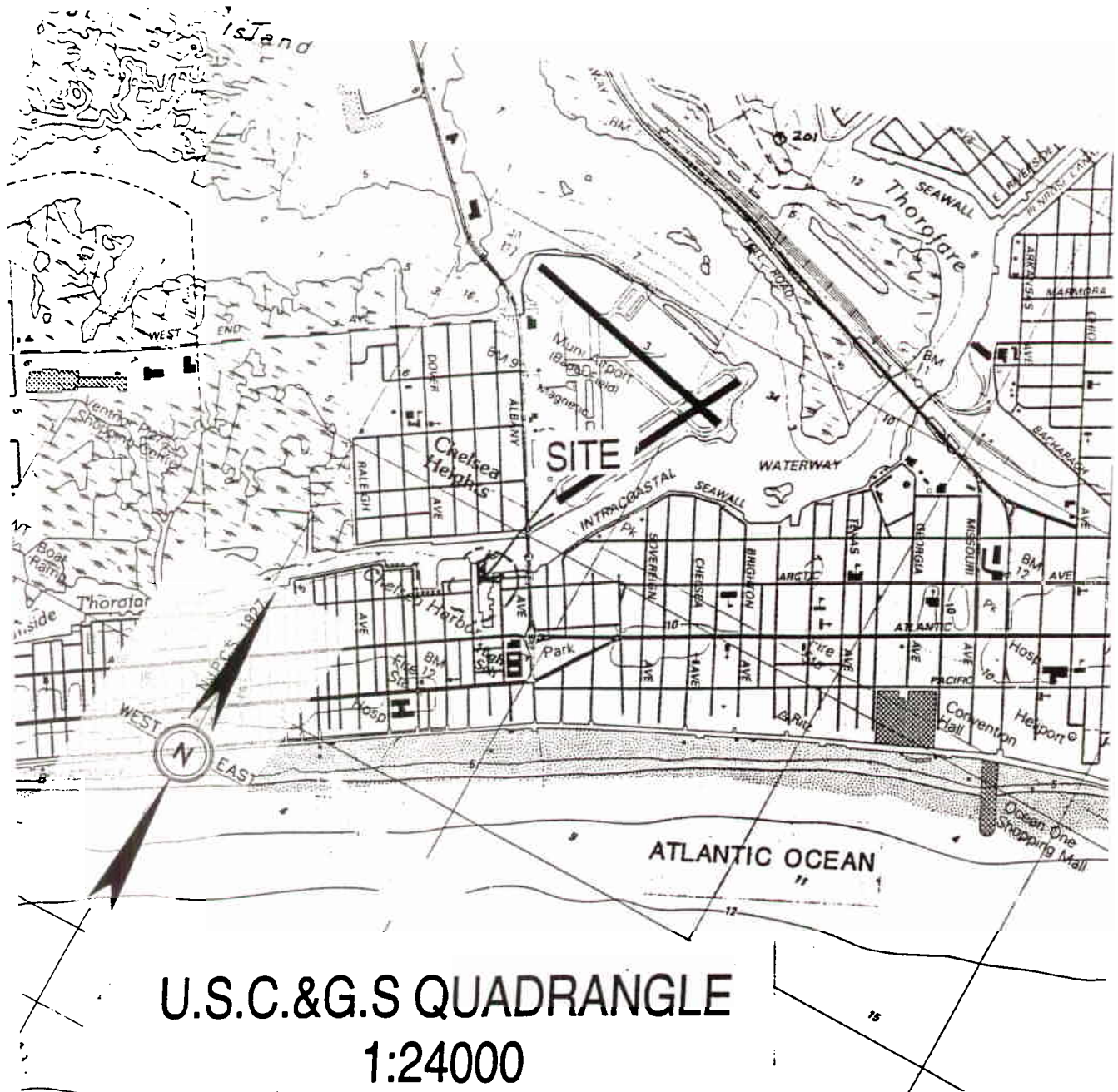
Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Richard M. Fonorow at (215) 656-5957 or by writing to this office at the above address.



Frank J. Cianfrani  
Chief, Regulatory Branch





# U.S.C.&G.S. QUADRANGLE 1:24000

TIDAL LEGEND 1929 DATUM  
ATLANTIC CITY PID JU2455-2005

HIGHEST PREDICTED TIDE 10/18/2005	4.00'
MEAN HIGHER HIGH WATER (MHHW)	3.26'
MEAN HIGH WATER (MHW)	2.89'
MEAN LOW WATER (MLW)	-0.97'
MEAN LOWER LOW WATER (MLLW)	-1.13'

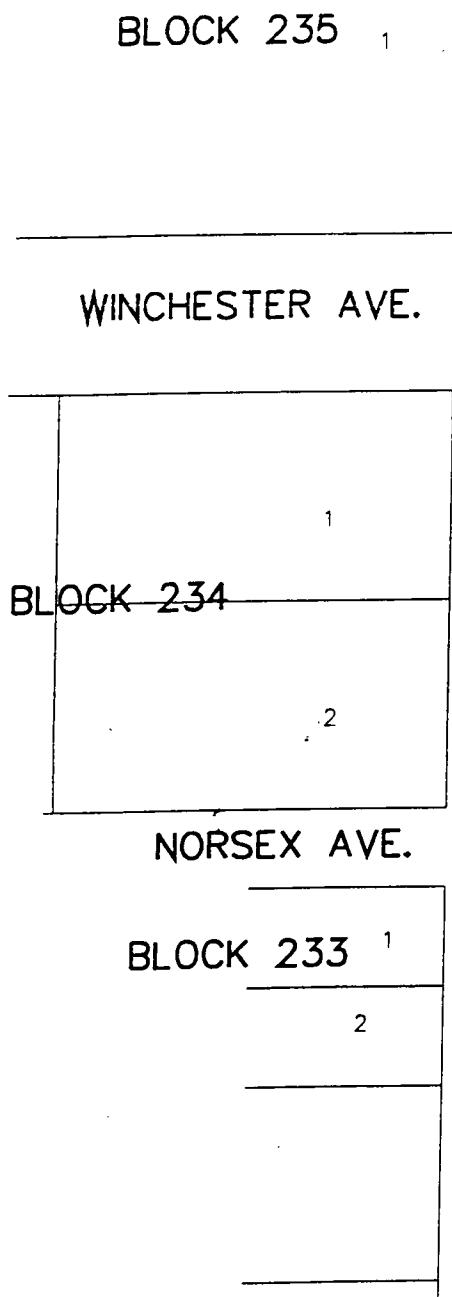
THE VERTICAL DATUM FOR NAVD 1988 IS 1.29 FEET  
BELOW THE VERTICAL DATUM OF 1929 FOR THIS SITE.

Revised 9/26/06

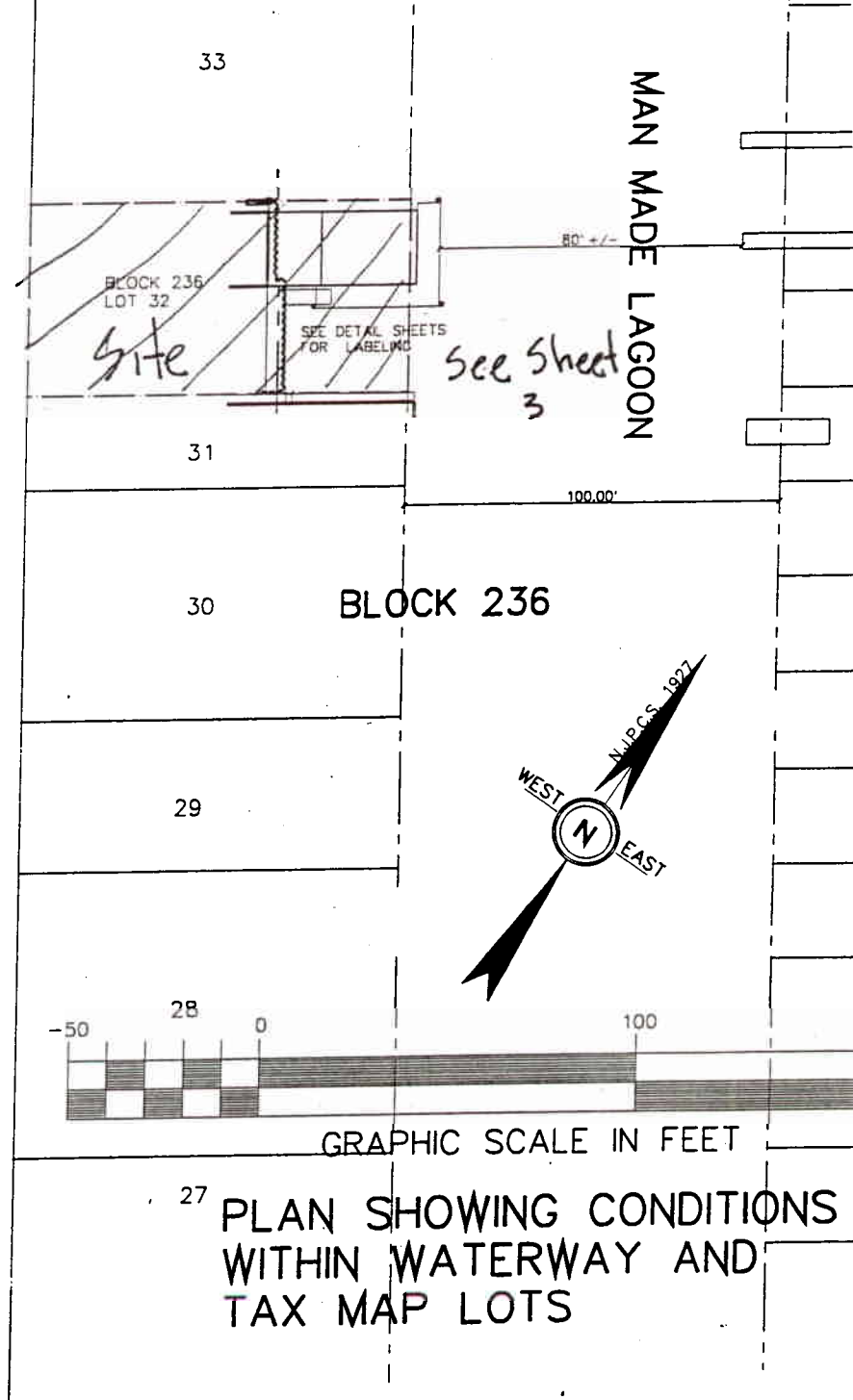
PLANS TO ACCOMPANY WATERFRONT  
DEVELOPMENT PERMIT APPLICATION

FOR MR. JAMES J. TAYOUN AT  
103 NORTH HARRISBURG AVENUE - BLOCK 286 LOT 32

ATLANTIC CITY ATLANTIC COUNTY, NEW JERSEY  
ROBERT J. CATALANO AND ASSOCIATES P.A.  
PROFESSIONAL LAND SURVEYORS AND PLANNERS  
1020 Atlantic Avenue, Atlantic City, N.J. 08401  
(609) 345-1887 Fax (609) 345-3511



HARRISBURG AVENUE



TIDAL LEGEND 1929 DATUM  
ATLANTIC CITY PID JU2455-2005

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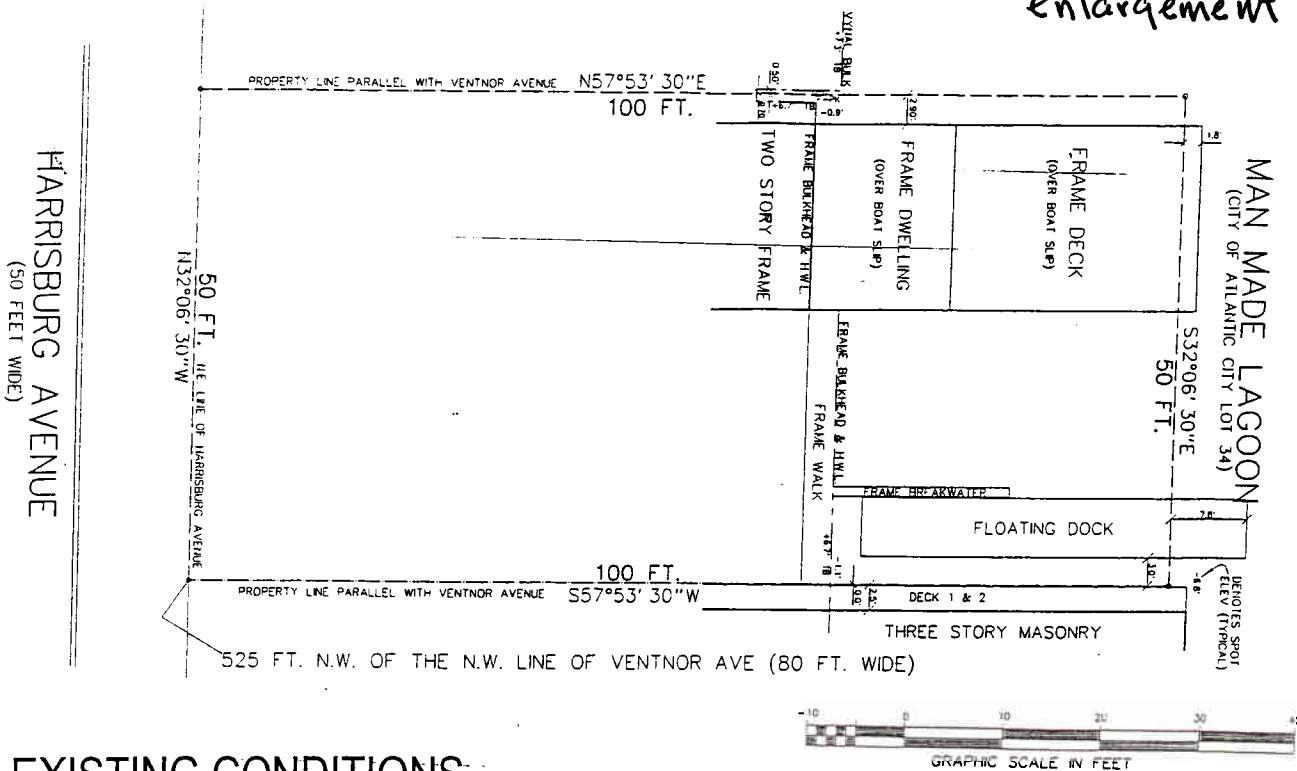
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Date April 8, 2005 W.O. 2005074 SHEET 2 OF 8

See Sheet 4 for  
enlargement



EXISTING CONDITIONS

See Sheet 5  
for proposed  
conditions

**TIDAL LEGEND 1929 DATUM**  
ATLANTIC CITY PID JU2455-2005

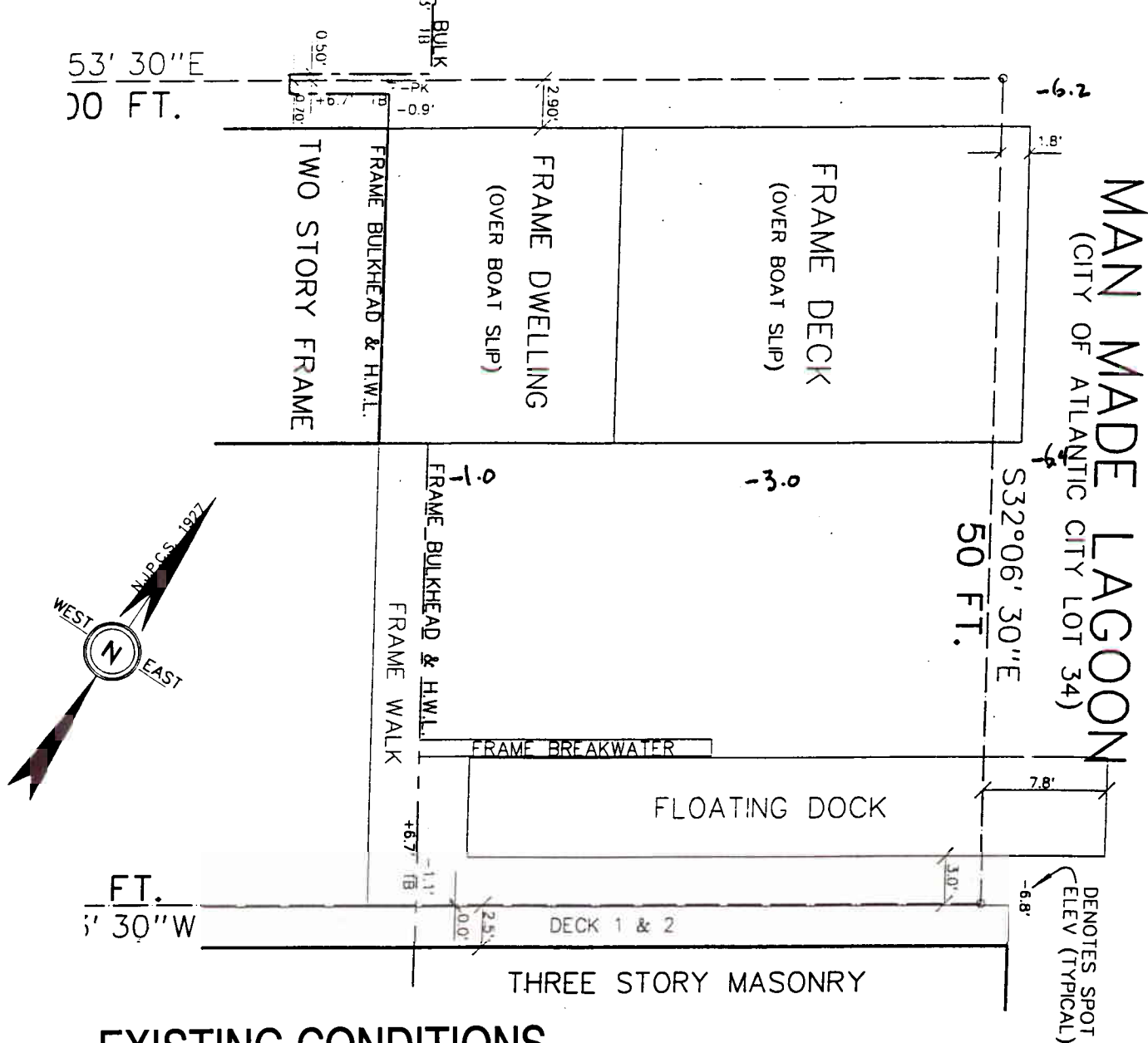
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## EXISTING CONDITIONS



GRAPHIC SCALE IN FEET  
ONE INCH EQUALS 10 FEET

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103 NORTH HARRISBURG AVENUE - BLOCK 286 LOT 32

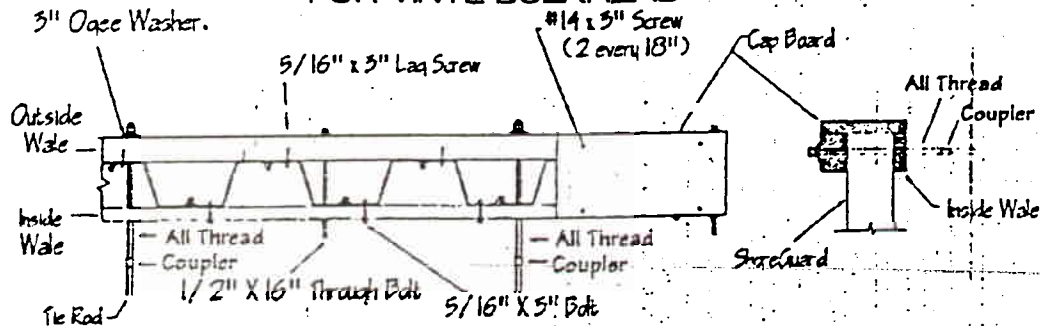
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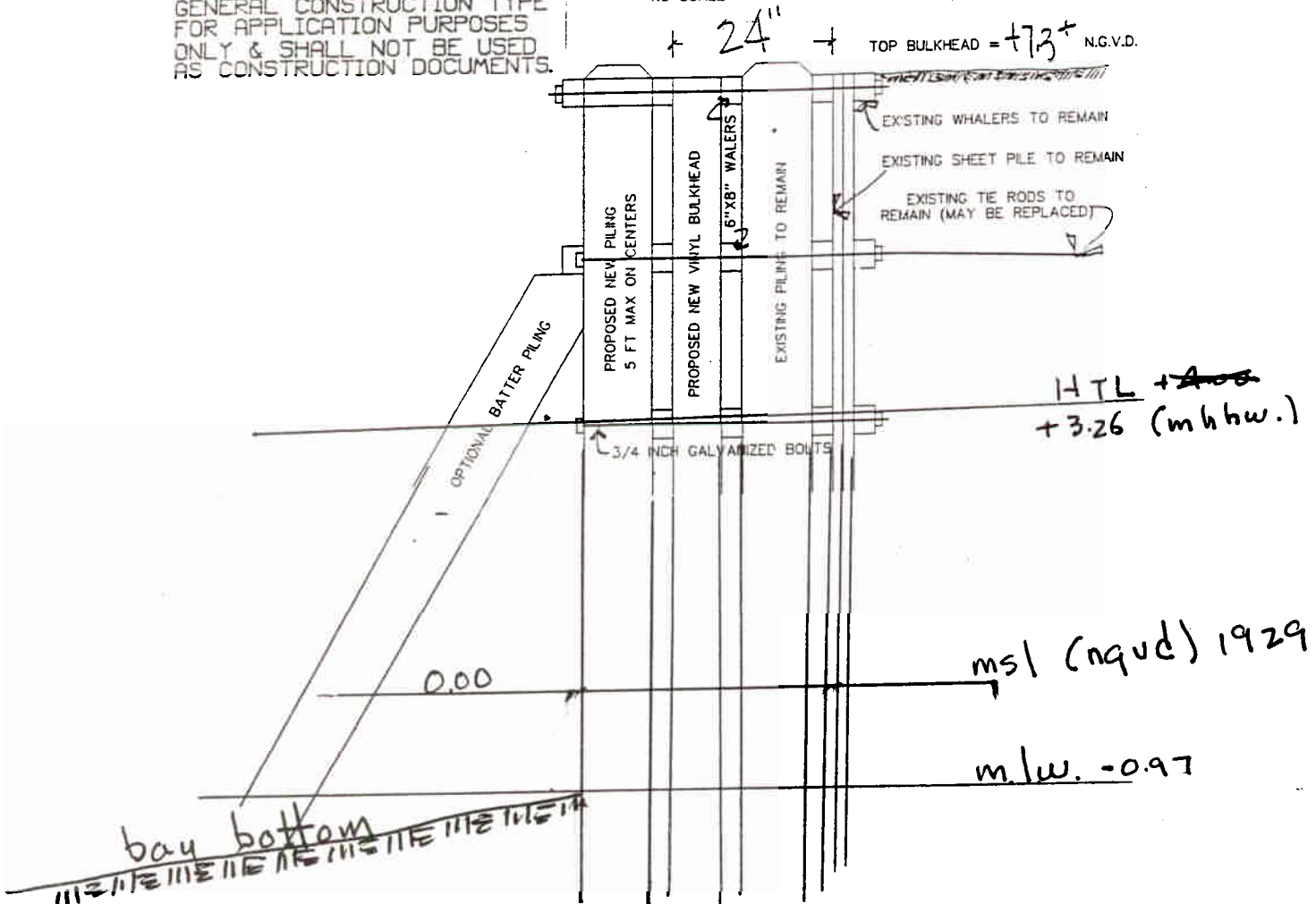
# TYPICAL BULKHEAD

## DETAILS FOR VINYL BULKHEAD



THESE TYPICAL DETAILS ARE INTENDED TO SHOW THE GENERAL CONSTRUCTION TYPE FOR APPLICATION PURPOSES ONLY & SHALL NOT BE USED AS CONSTRUCTION DOCUMENTS.

### SECTION "A" NO SCALE



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ATLANTIC CITY PID JU2455-2005

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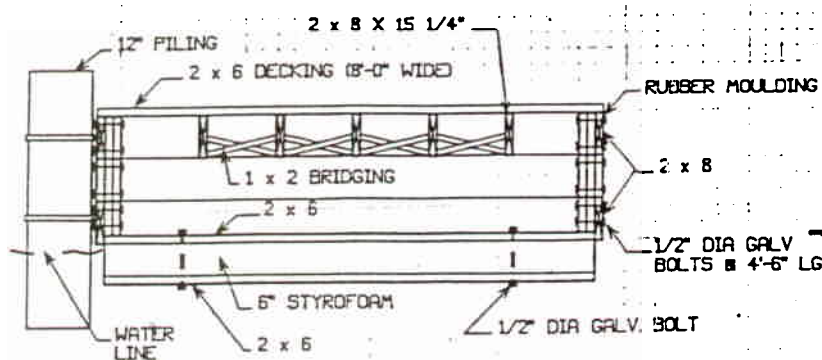
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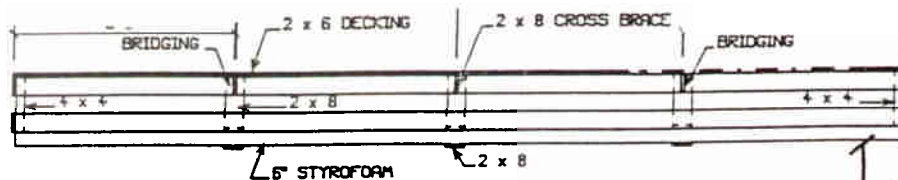
Date April 8, 2005 W.O. 2005074 SHEET 6 OF 8



bay bottom

SECTION A-A

Sections shown at lowtide



bay bottom

SECTION C-C

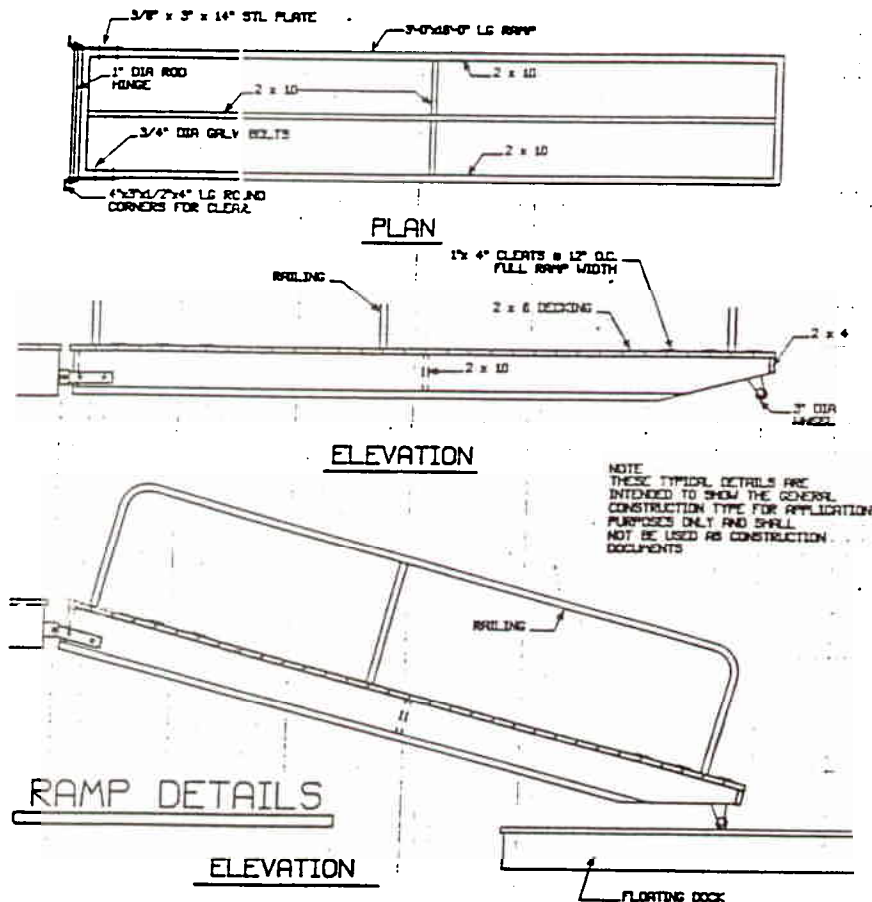
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